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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/610,696	07/05/2000	Seong-jin Moon	1293.1072D2/MDS	4484

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EXAMINER

TRAN, THAI Q

ART UNIT

PAPER NUMBER

2615

DATE MAILED: 02/19/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Advisory Action

Application No.

09/610,696

Applicant(s)

MOON ET AL.

Examiner

Thai Tran

Art Unit

2615

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 27 January 2003 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE. Therefore, further action by the applicant is required to avoid abandonment of this application. A proper reply to a final rejection under 37 CFR 1.113 may only be either: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114.

PERIOD FOR REPLY [check either a) or b)]

- a) ☒ The period for reply expires 3 months from the mailing date of the final rejection.
- b) ☐ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection. ONLY CHECK THIS BOX WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

1. ☐ A Notice of Appeal was filed on _____. Appellant's Brief must be filed within the period set forth in 37 CFR 1.192(a), or any extension thereof (37 CFR 1.191(d)), to avoid dismissal of the appeal.
2. ☐ The proposed amendment(s) will not be entered because:
- (a) ☐ they raise new issues that would require further consideration and/or search (see NOTE below);
 - (b) ☐ they raise the issue of new matter (see Note below);
 - (c) ☐ they are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
 - (d) ☐ they present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: _____.

3. ☐ Applicant's reply has overcome the following rejection(s): _____.
4. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
5. ☒ The a) ☐ affidavit, b) ☐ exhibit, or c) ☒ request for reconsideration has been considered but does NOT place the application in condition for allowance because: see attachment.
6. ☐ The affidavit or exhibit will NOT be considered because it is not directed SOLELY to issues which were newly raised by the Examiner in the final rejection.
7. ☒ For purposes of Appeal, the proposed amendment(s) a) ☐ will not be entered or b) ☒ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.

The status of the claim(s) is (or will be) as follows:

Claim(s) allowed: _____.

Claim(s) objected to: _____.

Claim(s) rejected: 1-43.

Claim(s) withdrawn from consideration: _____.

8. ☐ The proposed drawing correction filed on _____ is a) ☐ approved or b) ☐ disapproved by the Examiner.
9. ☐ Note the attached Information Disclosure Statement(s) (PTO-1449) Paper No(s). _____.
10. ☒ Other: Notice of Reference Cited (PTO-892)

DETAILED ACTION

Response to Arguments

1. Applicant's arguments filed Jan. 27, 2003 have been fully considered but they are not persuasive.

In re page 2, applicants request entry of this Rule 116 Response because the amendment of claim 11 should not entail any further search by the Examiner since no new features are being added or no new issues are being raised; and the amendment does not significantly alter the scope of the claims and place the application at least into a better form for purposes of appeal. No new features or new issues are being raised.

In response, it is agreed that the amendment to claim 11 does not raise any new matter or new issues and; thus, the amendment to claim 11 filed Jan. 27, 2002 after Final Office action mailed Oct. 29, 2002 has been entered.

In re pages 2-3, applicants state that they will address the provisional obviousness-type double patenting rejections one the pending rejection to the claims are resolved.

In response, since the terminal disclaimer was not received, claims are again provisionally rejected under the judicially created doctrine of obviousness-type double patenting.

In re pages 3-4, applicants argue that Ohno and Buchanan fail to teach or suggest "recording an identification information of a manufacturer of a recording apparatus" as recited in independent claim 11 and "an identification information f a manufacturer of a recording apparatus that recorded or modified the content of the

recording medium different from the identification information prior of the recording or the modification”.

In response, the examiner respectfully disagrees. Ohno et al discloses in col. 6, lines 25-30 that “In a step S11, it is checked whether the VTR manufacture number data as fetched from the tape coincides with the VTR manufacture number stored in the library memory 4 shown in FIG. 1. Unless coincidence is found, this control processing is terminated by regarding to the tape as loaded is not the one of concern”. From the above passage, it is quite clear that the claimed “an identification information of a manufacturer of a recording apparatus” is anticipated by the VTR manufacture number data recorded on the tape of Ohno et al.

Additionally, Buchanan teaches a Contact Table including company id and modify employee. The combination of the company id and modify employee of Buchanan shows company that recorded or modified the content of the recording medium different from the identification information prior to the recording or the modification for the purpose of recovering of database information in the event of a system disruption due, for example, to a computer failure. The recovery of database information in the event of a system disruption due to a computer failure has similar application whether the information stored in the Contact Table is company id as taught by Buchanan or the manufacturer number data of Ohno et al.

In re pages 4-5, applicants argue that it is improper to merely deem something obvious without any teaching/suggestion from the cited references.

In response, the examiner respectfully disagrees. Buchanan discloses in col. 1, lines 26-52 that "A consideration in Relational Database Management System (RDBMS) is the recovery of database information in the event of a system disruption due, for example, to a computer failure. Database recovery techniques often involve periodically saving the database to a backup storage unit and maintaining a transaction log file which logs changes made by transactions against the database since the save". Thus, the motivation for combining the references as proposed by the examiner is found in Buchanan "recovering of database information in the event of a system disruption".

In re page 5, applicants argue that the tape map information does not include "an identification code of a manufacturer of a device which last modified the content of the recording medium" as recited in independent claim 13 and that Ohno and Buchanan fail to teach or suggest the claimed "the identification information of the manufacturer is different from the identification information prior to the recording or the modification" as recited in claim 13.

In response, the examiner respectfully disagrees. Ohno et al discloses in col. 6, lines 25-30 that "In a step S11, it is checked whether the VTR manufacture number data as fetched from the tape coincides with the VTR manufacture number stored in the library memory 4 shown in FIG> 1. Unless coincidence is found, this control processing is terminated by regarding the tape as loaded is not the one of concern". From the above passage, it is clear that only the apparatus having the same VTR manufacture number data recorded on the tape allows to perform reproduce, record, and edit the video and audio signals recorded on the tape. Thus, the VTR manufacture number data

recorded on the tape anticipated the claimed "an identification code of a manufacturer of a device which last modified the content of the recording medium" as recited in independent claim 13 because only the apparatus, which as the same VTR manufacturer number data, allows to modify the content of the recording medium.

Furthermore, as discussed regarding independent claim 11 above, the recovery of database information in the event of a system disruption due to a computer failure has similar application whether the information stored in the Contact Table is company id as taught by Buchanan or the manufacturer number data of Ohno et al.

In re page 6, applicants request that supporting evidence regarding the Official Notice of "the capability of compressing information using variable length is old and well known in the art".

In response, Wang (US Patent no. 6,516,029 B1) is cited to support the Office Notice regarding "compressing information using variable length". See col. 4, lines 45-59 of Wang.

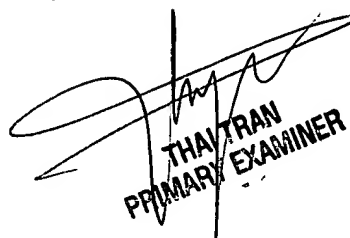
2. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thai Tran whose telephone number is (703) 305-4725. The examiner can normally be reached on Mon. to Friday, 8:00 AM to 5:30 PM.

The fax phone numbers for the organization where this application or proceeding is assigned are (703) 872-9314 for regular communications and (703) 872-9314 for After Final communications.

Art Unit: 2615

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Technology Center 2600 Customer Service Office whose telephone number is (703) 306-0377.

TTQ
February 10, 2003



THAI TRAN
PRIMARY EXAMINER